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SHAWN VINCENT GRAY

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	NO. 1:05-cr-0029 OWW
)	
Plaintiff,)	
)	
v.)	ORDER ON DEFENDANT'S MOTION
)	TO DETERMINE DEFENDANT'S
)	COMPETENCY TO STAND TRIAL
SHAWN VINCENT GRAY,)	
)	
Defendant.)	Judge: Hon. Oliver W. Wanger
_____)	

On June 12, 2006, counsel for the Defendant filed a Motion for Psychiatric Examination and for a hearing to Determine Defendant's Competency to Stand Trial; the Court granted the same.

On June 16, 2006, counsel for defendant withdrew his Motion for Psychiatric Examination and for a hearing to Determine Defendant's Competency to Stand Trial pending a psychiatric evaluation by a licensed/certified psychiatrist.

On September 26, 2006, counsel for defendant renewed his Motion for Psychiatric Examination and for a hearing to Determine Defendant's Competency to Stand Trial, which he filed on June 12, 2006. Counsel for defendant based his renewed motion on his original motion filed on June 12, 2006, as well as the report of the psychiatric examination from A. A. Howsepian, M.D., Ph.D. Counsel for Defendant filed [under seal], and served the Government, Dr. Howsepian's report, dated September 10, 2006, wherein Dr. Howsepian concluded that the Defendant suffered severe, multiple psychiatric diseases that preclude him from assisting counsel in his defense. The government did not oppose

1 counsel for Defendant's Motion for Psychiatric Examination and for a hearing to Determine
2 Defendant's Competency to Stand Trial; and concurred with Dr. Howsepian's assessment.

3 The Court, having considered the evidence before it,

4 ORDERS that:

5 1. Defendant is incompetent to stand trial pursuant to 18 U.S.C. § 4241(d);

6 2. The Attorney General will hospitalize the Defendant for treatment in a suitable facility
7 pursuant to 18 U.S.C. § 4241(d);

8 3. All time will be excluded in computing the time within which the trial of Defendant's current
9 offense must commence pursuant to 18 U.S.C. §§ 3161(h)(1)(A), (h)(4).

10 IT IS SO ORDERED.

11 **Dated: October 3, 2006**
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/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE